IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

WEDNESDAY, THE 4TH OCTOBER 2006 / 12TH ASWINA 1928

Bail Appl..No. 5881 of 2006

CRIME NO.34/2006 OF KONNI EXCISE RANGE

PETITIONER/IST ACCUSED

RAMANI, AGED 54 YEARS,
D/O.NARAYANI, VELLARA PUTHENVEETIL,
KONNI THAZHAM KARA, MALAYALPPUZHA VILLAGE,
KONNI TALUK.

BY ADV. SRI.V.SETHUNATH

RESPONDENTS: COMPLAINANT AND STATE

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1. EXCISE INSPECTOR, KONNI RANGE.

2. STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 5881/2006

DATED THIS THE 4TH DAY OF OCTOBER, 2006

O R D E R

The petitioner is the first accused, in C.R.No.34/2006 of Konni Excise Range, for the offence punishable under Section 8(1) & (2) of the Abkari Act, as the petitioner was found in illegal possession of three liters of illicit arrack on 1.9.2006. The petitioner could not be arrested for want of women police persons in the squad of Inspector of Excise Range, Konni, at the time of the seizure of contraband. The petitioner is before this Court, under Section 438 Cr.P.C., as she apprehends arrest by the Excise Range Officials.

2. After hearing both sides and considering that the petitioner is also accused of another offence as C.R.No.64/2004 of Konni Excise Range, I direct the petitioner to surrender before the Investigating Officer, who is Investigating crime No.34/2006 of Konni Excise Range, on 9.10.2006 between 9.30 a.m and 10.00 a.m.

3. The Investigating Officer shall interrogate the petitioner in the presence of the women Police/Excise persons, as per the law and thereafter, produce her before the Court below, on the same day at 4.30 p.m.

4. The learned Magistrate shall hear both sides and pass appropriate orders on the bail application, that may be filed by the petitioner, on the same day itself.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs